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22 UNITED STATES DISTRICT COURT
23 NORTHERN DISTRICT OF CALIFORNIA
24 SAN FRANCISCO DIVISION

24 ORACLE AMERICA, INC.,
25 Plaintiff,
26 v.
27 GOOGLE INC.,
28 Defendant.

Case No. CV 10-03561 WHA

**ADMIN. MOT. TO FILE UNDER SEAL
RE ORACLE'S RESPONSE TO
GOOGLE'S MOTION TO STRIKE
TESTIMONY OF JAMES R. KEARL**
Hearing: April 27, 2016, 8:00 a.m.
Dept.: Courtroom 8, 19th Floor
Judge: Honorable William H. Alsup

Plaintiff Oracle America, Inc. (“Oracle”) hereby moves to file portions of Oracle’s Response to Google’s Motion to Strike Testimony of James R. Kearl (“Response”) under seal pursuant to Civil Local Rules 7-11 and 79-5.

The Order Approving Stipulated Protective Order Subject to Stated Conditions entered in this case, ECF No. 68, states that when material has been designated as “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL – ATTORNEY’S EYES ONLY,” a party may not file it in the public record, but must seek to file it under seal pursuant to Civil Local Rule 79-5. Stipulated Protective Order § 14.4, ECF No. 66.

Google Inc. (“Google”) has designated certain materials discussed in and attached to Oracle’s Response as “CONFIDENTIAL” and “HIGHLY CONFIDENTIAL – ATTORNEY’S EYES ONLY” pursuant to the Protective Order. Therefore, Oracle moves to seal the following portions of its brief and supporting exhibits that have been so-designated by Google pursuant to the Protective Order:

Document	Text to be Sealed
Oracle’s Response to Google’s Motion to Strike Testimony of James R. Kearl	<ul style="list-style-type: none"> • Page 1: the dollar amounts in lines 3-19, excluding the \$0 references • Page 2: the dollar amounts in footnote 2 • Page 3: the quotation in line 4 • Page 3: the text within the parentheses in footnote 5 • Page 4: lines 1-4, the text within the parentheses • Page 4: the text between the word “admitted” and “Ex. 3” in footnote 6 • Page 5: lines 10-11, the text between the word “as” on line 10 and “Prof.” on line 11 • Page 5: the dollar amount in line 13 • Page 5: lines 14-17, the text within the parentheses • Page 5: the dollar amount in line 18 • Page 5: the text within the last parentheses in footnote 7
Exhibit 1 to Silverman Declaration	Entire document
Exhibit 2 to Silverman Declaration	Entire document
Exhibit 3 to Silverman Declaration	Entire document

As set forth in Oracle’s Response to Google’s Motion to Strike Testimony of James R. Kearl, Oracle’s position is that most of Google’s designations are improper. Oracle states no

1 position as to whether disclosure of the remaining Google-designated materials would cause harm
2 to Google or any third parties.

3
4 Dated: April 8, 2016

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